



Fair Political Practices Commission

428 J Street, Suite 620, Sacramento, CA 95814

www.fppc.ca.gov



NEWS RELEASE

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Contact: Sigrid Bathen
Christian Danielsen
(916) 322-7761

FPPC Enforcement Decisions: December 11, 2003

The following are enforcement decisions approved by the Fair Political Practices Commission at its regular monthly meeting held in Sacramento on Dec. 11, 2003. Decisions are divided by category and include brief summaries of each case and the amount of the fines.

Additional information on each of the enforcement cases below can be found in the current agenda on the FPPC website at www.fppc.ca.gov. FPPC agendas are distributed and posted on the agency website 10 days prior to each monthly meeting.

The web version of the agenda includes links to the stipulations agreed to by the commission, and by the individuals and organizations subject to the fines, or the default decisions ordered by the commission. Exhibits in support of the stipulations and default decisions are also available on the website. If you are unable to access the FPPC website, or need further assistance, please call the FPPC press office at 916-322-7761.

Default Decision and Order

In the Matter of Agapito Fajardo, Friends of Pete Fajardo, and Natividad Odal; FPPC No. 97/046. Staff: Commission Counsel Julia Bilaver and Investigator III Sandra Buckner. The commission issued a Default Decision and Order regarding Agapito Fajardo, a successful candidate for mayor of the City of Carson, Friends of Pete Fajardo, the controlled committee of Agapito Fajardo, and Natividad Odal, treasurer of Friends of Pete Fajardo. In this matter, Respondents accepted cash loans, in violation of section 84300, subdivision (a) (two counts); failed to report required information about contributors during five separate reporting periods, in violation of Section 84211 subdivision (f) (five counts); failed to report required information about campaign expenditures during five separate reporting periods, in violation of Section 84211, subdivision (k) (five counts); made campaign expenditures in cash, in violation of Section 84300, subdivision (b) (one count); made campaign expenditures from a bank account other than the campaign bank account, in violation of Section 85201, subdivision (e) (one count); failed to report required lender information for two loans, in violation of section 84211, subdivision (g) (two counts); deposited contributions into an account other than the campaign bank account, in violation of section 85201, subdivision (c) (one count), and failed to report required information about campaign expenditures made by agents, in violation of section 84303 (one count). (18 counts.) **\$36,000 fine.**

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Late Contribution Reporting Violations

In the Matter of the Law Firm of Joseph M. Alioto; FPPC No. 02/782. Staff: Commission Counsel Jennie Eddy and Investigator III Jon Wroten. The Law Firm of Joseph M. Alioto, located in San Francisco, failed to disclose, in a late contribution report, a \$15,000 late contribution to the Alioto for Secretary of State Committee, in violation of Government Code Section 84203(a) (1 count). **\$2,250 fine.**

Campaign Reporting Violations

In the Matter of California Pro-Life Council, Inc. PAC and James Mathwig; FPPC No. 01/182. Staff: Senior Commission Counsel Melodee A. Mathay and Investigator III Jon Wroten. California Pro-Life Council, Inc. PAC, a state general purpose recipient committee, sponsored by the California Pro-Life Council, Inc.. located in Sacramento County, and James Mathwig, treasurer for the committee, failed to timely disclose eight late independent expenditures in properly filed late independent expenditure reports prior to the 1998 primary and general elections, in violation of Section 84204(a) (8 counts). **\$11,000 fine.**

In the Matter of Lou Lopez, Lou Lopez for Supervisor and Sheri Schwabe; FPPC No. 02/909. Staff: Commission Counsel Jennie Eddy and Investigator III Leon Nurse-Williams. Lou Lopez, an unsuccessful candidate for a seat on the Orange County Board of Supervisors in the Nov. 3, 1998, general election, Lou Lopez for Supervisor, his controlled committee, and Sheri Schwabe, treasurer of the committee, committed seven violations of the Act by failing to keep the required campaign records necessary to prepare two campaign statements, in violation of section 84104 of the Government Code (2 counts), and failing to disclose five late contributions, in violation of Government Code Section 84203(a)(5 counts). **\$6,500 fine.**

In the Matter of Donna Casey and Casey for Supervisor '98; FPPC No. 00/854. Staff: Commission Counsel William L. Williams, Jr. and Accounting Specialist William Marland. Donna Casey and Casey for Supervisor '98 of San Francisco committed four violations of the Political Reform Act by failing to disclose all expenditures of \$100 or more on campaign statements, in violation of section 84211, subdivision (j)(1)-(4) of the Government Code (2 counts); and by failing to report the total amount of expenditures made to persons who received \$100 or more, in violation of section 84211, subdivision (h) of the Government Code (2 counts). **\$6,000 fine.**

In the Matter of Scott Cook; FPPC No. 01/235. Staff: Commission Counsel William L. Williams, Jr. and Investigator III Jon Wroten. Scott Cook of Woodside, Calif., committed four violations of the Political Reform Act by failing to file two major donor committee campaign statements, in violation of section 84200, subdivision (b) of the Government Code (2 counts), and by failing to electronically file two major donor committee campaign statements, in violation of section 84605, subdivision (a) of the Government Code (2 counts). **\$12,000 fine.**

In the Matter of Elizabeth J. Cabraser; FPPC No. 03/383. Staff: Commission Counsel Jennie Eddy and Investigator III Jon Wroten. Elizabeth J. Cabraser, a partner in the law firm of Lieff, Cabraser, Heimann & Bernstein, LLP, in San Francisco, committed three violations of the Act by failing to timely file two semi-annual campaign statements, in violation of Government Code Section 84200(b) (2 counts), and by failing to file a semi-annual campaign statement electronically, in violation of Government Code Section 84605(a) (1 count). **\$12,000 fine.**

In the Matter of Ram Development, Inc.; FPPC No. 03/467. Staff: Commission Counsel Jennie Eddy and Investigator III Jon Wroten. Ram Development, Inc., a corporation engaged in real estate development, located in San Francisco, committed two violations of the Act by failing to timely file a semi-annual campaign statement, in violation of Government Code Section 84200(b) (1 count), and by failing to file a semi-annual campaign statement electronically, in violation of Government Code Section 84605(a) (1 count). **\$6,000 fine.**

In the Matter of Richard T. Santulli; FPPC No. 03/497. Staff: Commission Counsel Jennie Eddy and Investigator III Jon Wroten. Richard T. Santulli, chairman and chief executive officer of NetJets, Inc., headquartered in Woodbridge, N.J., committed two violations of the Act by failing to timely file a semi-annual campaign statement, in violation of Government Code Section 84200(b) (1 count), and by failing to file a semi-annual campaign statement electronically, in violation of Government Code Section 84605(a) (1 count). **\$6,000 fine.**

In the Matter of Daniel D. Villanueva; FPPC No. 03/495. Staff: Commission Counsel Jennie Eddy and Investigator III Jon Wroten. Daniel D. Villanueva, chairman of Villanueva Capital Corp., located in Los Angeles, committed two violations of the Act by failing to timely file a semi-annual campaign statement, in violation of Section 84200, subdivision (b) (1 count), and by failing to file a semi-annual campaign statement electronically, in violation of Government Code Section 84605(a) (1 count). **\$6,000 fine.**

In the Matter of Beazer Homes USA, Inc.; FPPC No. 03/496. Staff: Commission Counsel Jennie Eddy and Investigator III Jon Wroten. Beazer Homes USA, Inc., a corporation engaged in the building and selling of single-family residences, headquartered in Atlanta, Ga. committed two violations of the Act by failing to timely file a semi-annual campaign statement, in violation of Government Code Section 84200(b) (1 count), and by failing to file a semi-annual campaign statement electronically, in violation of Government Code Section 84605(a) (1 count). **\$6,000 fine.**

In the Matter of Riverside County Business & Property Owners Coalition and Daralyn Reed; FPPC No. 02/152. Staff: Senior Commission Counsel Deanne Canar and Supervising Investigator Dennis Pellon. Riverside County Business & Property Owners Coalition ("Riverside Coalition"), a committee that existed primarily to support a group of specific candidates being voted upon in the Nov. 4, 1997, election in the City of Perris, and Daralyn Reed, treasurer of the Riverside Coalition, failed to file an amended statement of organization, within 10 days of a change in the primary activity of the Riverside Coalition,

in violation of Section 84103, subdivision (a) (1 count), and failed to file a semi-annual campaign statement, for the reporting period Jan. 1 through Dec. 31, 1997, in the correct location, in violation of Section 84215, subdivision (e) (1 count). **\$4,000 fine.**

SEI Violations

In the Matter of Barbara Keyani; FPPC No. 03/032. Staff: Commission Counsel Elizabeth K. Conti. Barbara Keyani, coordinator of special projects and communications for the Santa Barbara School District and the Santa Barbara High School District, failed to disclose a source of income on her 2001 and 2002 annual Statements of Economic Interests, in violation of Section 87300 (2 counts). **\$3,000 fine.**

In the Matter of Thomas Campbell; FPPC No. 02/462. Staff: Commission Counsel Jeffery A. Sly and SEI Coordinator Mary Ann Kvasager. Thomas Campbell, mayor of the City of Solana Beach, failed to timely file a 2001 annual Statement of Economic Interests, in violation of Government Code section 87203 (1 count). **\$600 fine.**

In the Matter of Jeff S. Coffman; FPPC No. 01/304. Staff: Commission Counsel William J. Lenkeit and Investigator III Dan Schek. Jeff Coffman, an appointed member of the Redevelopment Design Review Committee for the City of Fullerton, failed to timely file a 2001 annual Statement of Economic Interests, in violation of Government Code section 87300 (1 count). **\$800 fine.**

Major Donor - Streamlined Procedure

Failure to Timely File Major Donor Campaign Statements. Staff: Chief Investigator Alan Herndon, Investigator III Jon Wroten, and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into stipulations for failing to file major donor campaign statements that were due during the calendar year of 2002, in violation of Government Code Section 84200:

In the Matter of Peter Morton; FPPC No. 2003-582. Peter Morton of Los Angeles, California failed to timely disclose contributions totaling \$36,000 (1 count). **\$5,000 fine.**

In the Matter of Basic Resources, Inc.; FPPC No. 2003-567. Basic Resources, Inc. of Modesto, California failed to timely disclose contributions totaling \$25,000 (1 count). **\$400 fine.**

In the Matter of Berger & Montague, P.C.; FPPC No. 2003-568. Berger & Montague, P.C. of Philadelphia, Pennsylvania failed to timely disclose contributions totaling \$10,000 (1 count). **\$1,500 fine.**

In the Matter of Harvey Weinstein; FPPC No. 2003-588. Harvey Weinstein of New York, N.Y., failed to timely disclose contributions totaling \$11,000 (1 count). **\$1,650 fine.**

In the Matter of Digital Campaigns, Inc.; FPPC No. 2003-575. Digital Campaigns, Inc. of Palo Alto, Calif., failed to timely disclose contributions totaling \$10,200 (1 count). **\$1,530 fine.**

In the Matter of Recording Artists' Coalition; FPPC No. 2003-585. Recording Artists' Coalition of Santa Monica, Calif., failed to timely disclose contributions totaling \$16,950 (1 count). **\$2,542.50 fine.**

In the Matter of Delores Pistacchio; FPPC No. 2003-584. Delores Pistacchio of Fresno, Calif., failed to timely disclose contributions totaling \$15,000 (1 count). **\$2,250 fine.**

In the Matter of Marcus A. Moreno; FPPC No. 2003-581. Marcus A. Moreno of Whittier, Calif., failed to timely disclose contributions totaling \$15,000 (1 count). **\$2,250 fine.**

In the Matter of New Images of Beverly Hills; FPPC No. 2003-583. New Images of Beverly Hills of Beverly Hills, Calif., failed to timely disclose contributions totaling \$18,000 (1 count). **\$2,700 fine.**

In the Matter of Robert Lorsch; FPPC No. 2003-640. Robert Lorsch of Beverly Hills, Calif., failed to timely disclose contributions totaling \$18,000 (2 counts). **\$1,600 fine.**

In the Matter of Louise Gund; FPPC No. 2003-639. Louise Gund of Berkeley, Calif., failed to timely disclose contributions totaling \$10,000 (1 count). **\$800 fine.**

In the Matter of Hank Asher; FPPC No. 2003-566. Hank Asher of Boca Raton, Fla., failed to timely disclose contributions totaling \$10,000 (1 count). **\$1,500 fine.**

In the Matter of Phoebus Consultants, LLC; FPPC No. 2003-641. Phoebus Consultants of Burbank, Calif., failed to timely disclose contributions totaling \$15,000 (1 count). **\$400 fine**

In the Matter of Capitol Records, Inc./EMI Recorded Music, North America; FPPC No. 2003-571. Capitol Records, Inc./EMI Recorded Music, North America of New York, N.Y., failed to timely disclose contributions totaling \$40,000 (1 count). **\$5,000 fine.**

In the Matter of Shehadey Properties; FPPC No. 2003-586. Shehadey Properties of Fresno, Calif., failed to timely disclose contributions totaling \$12,100 (1 count). **\$1,815 fine.**

In the Matter of Harlan R. Crow; FPPC No. 2003-574. Harlan R. Crow of Dallas, Tex., failed to timely disclose contributions totaling \$15,000 (1 count). **\$400 fine.**

Failure to Timely File Major Donor Campaign Statements. Staff: Chief Investigator Alan Herndon, Investigator III Jon Wroten, and Political Reform Consultant Mary Ann Kvasager. The following persons and entities have entered into stipulations for failing to file major donor campaign statements that were due during the calendar year of 2000, in violation of Government Code Section 84200, and failing to electronically file major donor statements for the calendar year 2000, in violation of Government Code Section 84605:

In the Matter of John Paul Talty & Affiliated Entities; FPPC No. 2003-459. John Paul Talty & Affiliated Entities of San Francisco, Calif., failed to timely disclose contributions totaling \$62,000 (1 count). **\$1,020 fine.**

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